

23-2817-00-7

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED-EDS

03 MAR -4 AM 11:29

CLERK
U.S. DISTRICT COURT

DANIEL WILKIE,

Plaintiff,

v.

WALTER KIDDE PORTABLE EQUIPMENT,
INC. d/b/a KIDDE SAFETY,

Defendant.

JUDGE CASTILLO

No. **03C 1578**

Judge

MAGISTRATE JUDGE MASON
(Removal of Case 03 L 001211
filed in the Circuit Court of
Cook County, Law Division)

NOTICE OF FILING

TO: Devon C. Bruce
POWER ROGERS & SMITH, P.C.
70 W. Madison St., Suite 5500
Chicago, IL 60602

DOCKETED

MAR 05 2003

PLEASE TAKE NOTICE that on the 4th day of March, 2003, we filed with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, Defendant's Notice of Removal, a copy of which is attached hereto and herewith served upon you.



BRIAN E. DEVILLING

DOMINICK W. SAVAIANO
BRIAN E. DEVILLING
CLAUSEN MILLER P.C.
10 South LaSalle Street
Chicago, Illinois 60603-1098
312/855-1010
Attorneys for Defendant Walter Kidde Portable Equipment, Inc. d/b/a Kidde Safety

STATE OF ILLINOIS)) SS
COUNTY OF C O O K)

AFFIDAVIT OF SERVICE


Brian E. Devilling, after being duly sworn, deposes and says that he served this Notice of Filing, together with a copy of the document therein referred, by mailing a copy to the attorneys to whom this Notice is directed, to the parties indicated below by First Class mail, postage prepaid, at 10 South LaSalle Street, Chicago, Illinois at 5:00 P.M. on the 4th day of March, 2003.

Devon C. Bruce
POWER ROGERS & SMITH, P.C.
70 W. Madison St., Suite 5500
Chicago, IL 60602

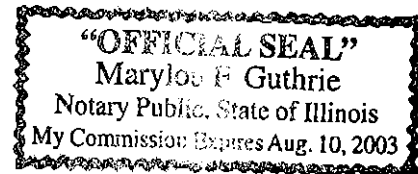
BDall

Subscribed and sworn to before
me this 4 day of March, 2003.

me this 7 day of March, 2003.



Notary Public



UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

DANIEL WILKIE,
Plaintiff,
v.
WALTER KIDDE PORTABLE
EQUIPMENT, INC. d/b/a KIDDE
SAFETY,
Defendant.

JUDGE CASTILLO
No. **03C 1578**
Judge: **MAGISTRATE JUDGE MASON**
(Removal of Case No. 03 L 001211 filed in
the Circuit Court of Cook County, Law
Division)

POCKETED

MAR 05 2003

NOTICE OF REMOVAL

NOW COMES the Defendant, WALTER KIDDE PORTABLE EQUIPMENT, INC. (KIDDE), a British corporation, by and through its attorneys, DOMINICK W. SAVAIANO, BRIAN E. DEVILLING, and CLAUSEN MILLER, P.C. and pursuant to 28 U.S.C. §§1441 et seq., hereby files its Notice of Removal of the instant action based on the diversity of citizenship between the Plaintiff and the Defendant and because the amount in controversy exceeds \$75,000, exclusive of costs and interest. In support of its Notice, the Defendant states as follows:

1. Plaintiff filed his Complaint at Law in the Circuit Court of Cook County on January 29, 2003. (Attached as Exhibit A) Defendant KIDDE was served with the Complaint on February 5, 2003. Defendant KIDDE received a stipulation from Defendant on March 3, 2003 that the amount in controversy in the present case exceeds \$75,000. (Attached as Exhibit B)
2. In his Complaint, Plaintiff alleges that KIDDE negligently manufactured and designed a fire extinguisher that allegedly exploded and injured Plaintiff.
3. Based upon information and belief of this Defendant, Plaintiff, DANIEL WILKE, is

a resident of Illinois.

4. The Defendant is a British corporation with its principal place of business in North Carolina.

5. According to 28 U.S.C. §1441, any civil action brought in a state court of which the District Courts of the United States have original jurisdiction, may be removed by the Defendant to the District Courts of the United States for the district and division embracing the place where such action is pending. 28 U.S.C. §1441(a).

6. Furthermore, the District Court shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and cost, and is between citizens of different states. 28 U.S.C. §1332(a).

7. Normally, a federal court determines the amount in controversy by merely looking to the demand in the plaintiff's complaint. *Shaw v. Dow Brands, Inc.*, 994 F.2d 364, 366 (7th Cir. 1994). The Illinois Rules of Civil Procedure, however, prevent a plaintiff from specifying an exact amount of damages, permitting plaintiffs only to state an amount in excess of limits established by local court rule. 735 I.L.C.S. § 5/2-604 (West 2002); *Shaw*, 994 F.2d at 366. Thus, courts also examine the remainder of the allegations in the complaint and the record as a whole to determine whether the amount in controversy exceeds \$75,000. See e.g. *Chase v. Shop 'N Save Warehouse Foods, Inc.*, 110 F.3d 424, 429 (7th Cir. 1997). Courts will also consider stipulations as to the amount in controversy. *Shaw*, 994 F.2d at 367.

7. Counsel for Plaintiff in the present case has stipulated that the amount in controversy exceeds \$75,000. (See Exhibit B).

8. Furthermore, the severity of the injuries alleged and the number of bases on which

Plaintiff seeks recovery strongly indicate that the amount in controversy in the present case far exceeds \$75,000. Plaintiff alleges that he was “badly” injured and suffered a “severe” injury to his right eye. (See Complaint, ¶ 9). Plaintiff seeks recovery on ten different bases, including (1) past pain and suffering; (2) future pain and suffering; (3) disfigurement; (4) disability; (5) loss of wages; (6) loss of the capacity to earn a living; (7) past medical expenses; (8) future medical expenses; (9) past rehabilitation expenses; and (10) future rehabilitation expenses. (See Complaint, ¶ 11).

9. In *Chase v. Shop 'N Save Warehouse Foods, Inc.*, 110 F.3d 424, 425 (7th Cir. 1997), this Court granted removal of a personal injury case, despite the fact that the complaint did not state a specific amount in controversy exceeding the jurisdictional requirement. The court reasoned that the complaint contained an extensive list of damages, “including future medical treatment and disability care, future pain and suffering, future mental anguish, loss of past wages and impairment of future earning capacity.” *Id.* Based on the nature of the damages sought, the court concluded that the amount in controversy exceeded \$75,000. *Id.* Plaintiff in the present case seeks damages similar in nature and extent to those at issue in *Chase*, indicating that the amount in controversy exceeds \$75,000.

10. Given the diversity of citizenship between the Plaintiff and Defendant and that the amount in controversy as alleged by Plaintiff exceeds \$75,000, subject matter jurisdiction exists in this Court pursuant to 28 U.S.C. §1332.

11. Pursuant to 28 U.S.C.A. § 1446(b), this Petition has been filed within 30 days after the Defendant received service of the Complaint on February 5, 2003, and within 30 days after the Defendant received Plaintiff's stipulation as to the amount in controversy on March 3, 2003.

12. Copies of this Notice of Removal have been filed with the Circuit Court of Cook

County, Illinois and mailed to Plaintiff.

13. Pursuant to Local Rule 81.2 of the United States District Court for the Northern District of Illinois, Defendant has attached an affidavit stating its good faith belief that the amount in controversy exceeds \$75,000 (Attached as Exhibit C), and has attached an admission by Plaintiff that the amount in controversy exceeds \$75,000. (See Exhibit B)

WHEREFORE, pursuant to 28 U.S.C. §§ 1441 et. seq., this Defendant hereby notifies all relevant parties that further proceedings in the Circuit Court of Cook County, Illinois are discontinued and that the suit is removed to the United States District Court for the Northern District of Illinois.

DATED this 4th day of March, 2003



BRIAN E. DEVILLING
CLAUSEN MILLER, P.C.

DOMINICK W. SAVAIANO
BRIAN E. DEVILLING
CLAUSEN MILLER P.C.
10 South LaSalle Street
Chicago, Illinois 60603
(312) 855-1010

Attorneys for Defendant, WALTER KIDDE PORTABLE EQUIPMENT, INC. d/b/a KIDDE SAFETY.

APPENDIX

Exhibit A Plaintiff's Complaint

Exhibit B Plaintiff's Stipulation as to Amount in Controversy

Exhibit C Defendant's Statement of Good Faith Belief as to Amount in Controversy

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

DANIEL WILKE,

Plaintiff,

v.

WALTER KIDDE PORTABLE
EQUIPMENT, INC. d/b/a KIDDE
SAFETY,

Defendant.

NO. 03L 001211
CALENDAR B
PRODUCT LIABILITY

JURY DEMAND

COMPLAINT AT LAW

COUNT I
(Negligence - KIDDE)

NOW COMES the Plaintiff, DANIEL WILKE (hereinafter "WILKE"), by and through his attorneys, POWER ROGERS & SMITH, P.C. and complaining of the Defendant, WALTER KIDDE PORTABLE EQUIPMENT, INC. d/b/a KIDDE SAFETY (hereinafter "KIDDE"), pleading hypothetically and in the alternative states:

1. On and prior to August 1, 2001, KIDDE was a corporation doing business in the State of Illinois.
2. On and prior to August 1, 2001, KIDDE was a corporation in the business of manufacturing and distributing home safety products.
3. On and prior to August 1, 2001 KIDDE manufactured fire extinguishers. Specifically, KIDDE manufactured and sold fire extinguishers commonly known as Fireaway Industrial 460.



4. Prior to August 1, 2001, KIDDE manufactured and sold a fire extinguisher Fireaway Industrial 460 model # FA460H D-2.

5. Prior to August 1, 2001, KIDDE, manufactured, inspected and tested the aforesaid fire extinguisher prior to introducing it into the stream of commerce.

6. On August 8, 2001, the aforesaid fire extinguisher was in the same condition at the time it left the control of the defendant.

7. On August 8, 2001, WILKE was located at North Riverside Mall, Cook County, State of Illinois.

8. On August 8, 2001, while WILKE was located at the aforesaid location, the Fireaway Industrial 460 Model #FA460HD-2 exploded.

9. On August 8, 2001, as a direct result of the explosion, WILKE was badly injured including but not limited to a severe injury to his right eye.

10. On and prior to August 8, 2001, KIDDE was negligent in one or more of the following respects:

- a. Failed to manufacture a safe fire extinguisher that does not explode during normal use;
- b. Failed to inspect and test the fire extinguisher at issue prior to introducing it into the stream of commerce;
- c. Failed to prevent an unreasonably dangerous fire extinguisher from being introduced in the stream of commerce.
- d. Failed to properly design, manufacture, distribute and sell a fire extinguisher which was safe for its intended use.

11. As a direct and proximate result of one or more of the foregoing negligent acts and/or omissions of defendant KIDDE, WILKE was injured; has experienced and will in the future experience pain and suffering; has become disfigured and disabled; has suffered a loss of wages; has been damaged in his capacity to earn a living; and has incurred and will in the future incur sums for medical and rehabilitative care.

WHEREFORE, plaintiff, DANIEL WILKE, by and through his attorneys, POWER ROGERS & SMITH, P.C., demands judgment against the Defendant, WALTER KIDDE PORTABLE EQUIPMENT, INC. d/b/a KIDDE SAFETY, an Illinois corporation, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus costs of this suit, which shall represent fair and just compensation.

COUNT II

(Strict Liability - KIDDE.)

NOW COMES the Plaintiff, DANIEL WILKE (hereinafter "WILKE"), by and through his attorneys, POWER ROGERS & SMITH, P.C. and complaining of the Defendant, WALTER KIDDE PORTABLE EQUIPMENT, INC. d/b/a KIDDE SAFETY (hereinafter "KIDDE"), pleading hypothetically and in the alternative states:

1. On and prior to August 1, 2001, KIDDE was a corporation doing business in the State of Illinois.
2. On and prior to August 1, 2001, KIDDE was a corporation in the business of manufacturing and distributing home safety products.
3. On and prior to August 1, 2001 KIDDE manufactured fire extinguishers. Specifically, KIDDE manufactured and sold fire extinguishers commonly known as Fireaway Industrial 460.
4. Prior to August 1, 2001, KIDDE manufactured and sold a fire extinguisher Fireaway Industrial 460 model # FA460H D-2.
5. Prior to August 1, 2001, KIDDE, manufactured, inspected and tested the aforesaid fire extinguisher prior to introducing it into the stream of commerce.
6. On August 8, 2001, the aforesaid fire extinguisher was in the same condition at the time it left the control of the defendant.
7. On August 8, 2001, WILKE was located at North Riverside Mall, Cook County, State of Illinois.

8. On August 8, 2001, while WILKE was located at the aforesaid location, the Fireaway Industrial 460 Model #FA460HD-2 exploded.

9. On August 8, 2001, as a direct result of the explosion, WILKE was badly injured including but not limited to a severe injury to his right eye.

10. That the aforesaid fire extinguisher, was unreasonably dangerous at the time that it left KIDDE's control.

11. That as a direct and proximate result of the unreasonable dangerous condition, WILKE was injured and suffered economic and non-economic damages.

WHEREFORE, plaintiff, DANIEL WILKE, by and through his attorneys, POWER ROGERS & SMITH, P.C., demands judgment against the Defendant, WALTER KIDDE PORTABLE EQUIPMENT, INC. d/b/a KIDDE SAFETY, an Illinois corporation, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus costs of this suit, which shall represent fair and just compensation.

POWER ROGERS & SMITH, P.C.

By: 

Devon C. Bruce

POWER ROGERS & SMITH, P.C.
Devon C. Bruce
70 W. Madison Street, Suite 5500
Chicago, Illinois 60602
312\ 236-9381
Atty No.: 31444

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

DANIEL WILKE,

Plaintiff

WALTER KIDDE PORTABLE EQUIPMENT,
INC. d/b/a KIDDE SAFETY

Defendant.

NO. 03L 001211
CALENDAR B
PRODUCT LIABILITY

JURY DEMAND

JURY DEMAND

Plaintiff hereby demands a trial by jury.

Respectfully Submitted,

POWER ROGERS & SMITH, P.C.

By: 

Devon C. Bruce

Devon C. Bruce
POWER ROGERS & SMITH #31444
70 W. Madison Street, Suite 5500
Chicago, IL 60602
312-236-9381
Attorneys for Plaintiff

03/03/03 MON 10:40 FAX 312 236 0920

POWER ROGERS & SMITH

002

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

DANIEL WILKE,

Plaintiff,

v.

WALTER KIDDE PORTABLE
EQUIPMENT, INC. d/b/a KIDDE
SAFETY,

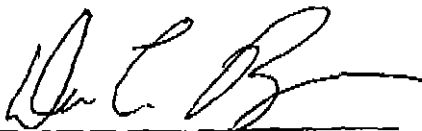
Defendant.

No. 03 L 001211

Judge Diane Larsen

PLAINTIFF DANIEL WILKE'S STIPULATION AS TO AMOUNT IN CONTROVERSY

The undersigned, as attorney for Plaintiff, DANIEL WILKE, in the above-captioned case, and in response to request by Defendant, WALTER KIDDE PORTABLE EQUIPMENT, INC. d/b/a KIDDE EQUIPMENT, hereby stipulate and admit that the amount in controversy in the above captioned case exceeds \$75,000.



DEVON C. BRUCE

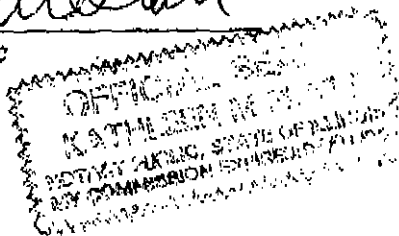
Attorney for Plaintiff, DANIEL WILKE

SUBSCRIBED and SWORN to before

me this 27th day of February, 2003.



Notary Public



817657.1

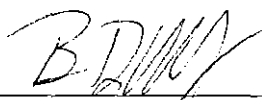


UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

DANIEL WILKIE,)	
Plaintiff,)	No.
v.)	
)	Judge:
WALTER KIDDE PORTABLE)	
EQUIPMENT, INC. d/b/a KIDDE)	(Removal of Case No. 03 L 001211 filed in
SAFETY,)	the Circuit Court of Cook County, Law
)	Division)
Defendant.)	
)	

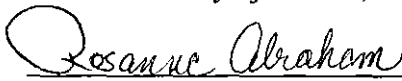
AFFIDAVIT

BRIAN E. DEVILLING, after first being sworn upon oath, deposes and states that he is one of the attorneys for WALTER KIDDE PORTABLE EQUIPMENT, INC. d/b/a KIDDE SAFETY, and, pursuant to Local Rule 81.2 of the Northern District of Illinois, and on behalf of Defendant, WALTER KIDDE PORTABLE EQUIPMENT, INC. d/b/a KIDDE SAFETY, states that it is the good faith belief of the Defendant, WALTER KIDDE PORTABLE EQUIPMENT, INC. d/b/a KIDDE SAFETY, that the amount in controversy exceeds \$75,000 in the above captioned case.


BRIAN E. DEVILLING
CLAUSEN MILLER P.C.
10 South LaSalle Street
Chicago, Illinois 60603
312/855-1010

SUBSCRIBED and SWORN to before

me this 4th day of March, 2003.


Notary Public



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document was forwarded by United States mail to the following this 4th day of March, 2003:

Devon C. Bruce
Power, Rogers & Smith
70 W. Madison
Chicago, Illinois 60602
(312) 236-9381

The undersigned further certifies that a true and correct copy of the above and foregoing document will be filed with the Clerk of the Circuit Court of Cook County on this 4th day of March, 2003.



SUBSCRIBED and SWORN to before

me this 4th day of March, 2003.



Notary Public



JS 44
(Rev. 11/95)**CIVIL COVER SHEET**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

DANIEL WILKE

DEFENDANTSWALTER KIDDE PORTABLE EQUIPMENT
d/b/a KIDDE SAFETY(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
MAGISTRATE JUDGE MASON

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Devon C. Bruce
POWER ROGERS & SMITH
70 W. MADISON
Chicago IL 60602ATTORNEYS (IF KNOWN) Dominick W. Savarano
Brian E. Devilling
Clausen Miller PC
10 S. LaSalle St. 1600
Chicago IL 60603**II. BASIS OF JURISDICTION**

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT

(PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input checked="" type="checkbox"/> 362 Personal Injury - Med. Malpractice <input checked="" type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 620 Copyrights <input type="checkbox"/> 630 Patent <input type="checkbox"/> 640 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 510 Selective Service <input type="checkbox"/> 550 Securities/Commodities/Exchange <input type="checkbox"/> 575 Customer Challenge 12 USC 3410 <input type="checkbox"/> 581 Agricultural Acts <input type="checkbox"/> 582 Economic Stabilization Act <input type="checkbox"/> 583 Environmental Matters <input type="checkbox"/> 584 Energy Allocation Act <input type="checkbox"/> 595 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 990 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus, General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395m) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSD Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7809

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

28 USC 1332(a)

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: YES ☒ NO ☐**VIII. RELATED CASE(S) IF ANY**

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

3-4-03

Dominick W. Savarano

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

In the Matter of

DANIEL WILKE

JUDGE CASTILLO

DOCKETED
 MAR 05 2003

v.

Case No.

03C 1578

WALTER KIDDE PORTABLE
 EQUIPMENT, INC. d/b/a KIDDE SAFETY

MAGISTRATE JUDGE MASON

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

WALTER KIDDE PORTABLE EQUIPMENT, INC. d/b/a KIDDE SAFETY

(A)	(B)
SIGNATURE <i>Dominick W. Saviano</i>	SIGNATURE <i>Brian E. Devilling</i>
NAME Dominick W. Saviano	NAME Brian E. Devilling
FIRM CLAUSEN MILLER P.C.	FIRM CLAUSEN MILLER P.C.
STREET ADDRESS 10 South LaSalle St.	STREET ADDRESS 10 South LaSalle St.
CITY/STATE/ZIP Chicago, Illinois 60603	CITY/STATE/ZIP Chicago, Illinois 60603
TELEPHONE NUMBER (312) 855-1010	TELEPHONE NUMBER (312) 855-1010
ID NUMBER (SEE ITEM 4 ON REVERSE) 6181611	ID NUMBER (SEE ITEM 4 ON REVERSE) 6277371
MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
TRIAL ATTORNEY YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(C)	(D)
SIGNATURE	SIGNATURE
NAME	NAME
FIRM	FIRM
STREET ADDRESS	STREET ADDRESS
CITY/STATE/ZIP	CITY/STATE/ZIP
TELEPHONE NUMBER	TELEPHONE NUMBER
ID NUMBER (SEE ITEM 4 ON REVERSE)	ID NUMBER (SEE ITEM 4 ON REVERSE)
MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY YES <input type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY YES <input type="checkbox"/> NO <input type="checkbox"/>

PLEASE COMPLETE IN ACCORDANCE WITH INSTRUCTIONS ON REVERSE

FILED-005
 03 MAR -4 AM 11:29
 U.S. DISTRICT COURT

1-3